



*April 19, 2007 Governance Committee Minutes*

IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES  
***GOVERNANCE COMMITTEE MEETING***

***Thursday, April 19, 2007***

***10:00 a.m. - 11:30 a.m.***

***Parkcenter Marriott Spring Hill Suites, Boise***

**Committee Members:** Debbie DePaola, Rick Betzer, James Steed,  
Kim Kane, Dona Butler, Liz Ricciardi, Julie Fodor

**MINUTES**

AGENDA ITEM	ACTION
<b>Call to order</b>	Meeting was called to order at 10:10 a.m. Members in attendance: Dona Butler, Rick Betzer, Liz Ricciardi, Debbie DePaola, James Steed, and Julie Fodor. Members absent: Kim Kane Staff present: Marilyn Sword, Amanda Holloway
<b>Approval of Minutes</b>  →	Julie would like to amend the minutes to reflect that Matt Wappett attended on her behalf and recommended that when a delegate is sent representing an agency member, the minutes reflect that as well. <b>James moved to amend the minutes to reflect Matt Wappett representation of UCED, on behalf of Julie. Liz seconded.</b>
<b>Announcements</b>	Kim is unable to join, but will attend the full council meeting; Dona will be late. We must vacate the room at 11:30.
<b>Policies Discussion -</b> Addendum to 108 (Code of Ethics)  →	Page 6 in the Governance packet. At the January 26 <sup>th</sup> meeting, the committee discussed the Dos & Don'ts policy with the regard to the code of ethics for the Executive Directors. Marilyn referenced the sections of the Idaho Ethics and Governance Manual from the Attorney General's office that apply to Policy 108. Kim modified the DHW employee's Conflict of Interest and ethical behavior and added section on confidentiality. Marilyn will provide Rick with a letter regarding dual employment. She currently co-owns a consulting firm (Frontier Group) with her husband and serves as the firm's president. <b>James moved to approve conflict of interest and ethical behavior with addendum of letter stating dual employment. Julie seconded. Motion passed unanimously.</b>

GOVERNANCE COMMITTEE July 26, 2007  
*April 19, 2007 Governance Committee Minutes*



<p>-Recommendations for Policy 103</p> <p style="text-align: center;">→</p>	<p>At the January 26<sup>th</sup> meeting the Membership Committee decided to revise Policy 103 so that it better addressed unexcused absences. It clarifies what an excused absence is and that a member's membership will be reviewed if 3 or more consecutive absences occur. The hours indicated in the definition of absence were increased from 4 to 8. Subsection D was incorporated under background, and sections E and F were deleted. F was adequately explained in section 4. Marilyn read section 4 (d, e, f). Section 4 describes processes for removal by the Governor. Marilyn recommended referring to the full council for clarification by the Membership Committee and making a motion at that time. <b>Julie recommended presenting the policy with the new language to the full Council with an explanation on what the background is. Liz moved to accept Julie's recommendation, Rick seconded. Passed unanimously.</b></p> <p>Marilyn suggested the motion should be to ask the full council to vote on policies. She referenced how previous policies recommendations had been made in November. The motion would be to approve Governance Committee report, which included the changes to some policies, without discussing the policies in full.</p>
<p>Conflict Resolution Policy</p> <p style="text-align: center;">→</p>	<p>At the last Governance Committee meeting the Grievance Policy was changed to Conflict Resolution. Marilyn received comments from DHR on the revised policy. A typo was fixed under problem solving. DHR suggested changing the language to reflect the grievance was to be filed with the Executive Director not DHW. A non-retaliation clause was also added. DHR clarified that to involve the Governance Committee or Council you can't add additional steps that only apply to state employees, but there needs to be language that is collaborative to the Governance Committee and the Council. There is no appeal process after the Executive Director has made a decision. If mediation is required it would be at the Council's expense, not the employee's. No further discussion. <b>Rick made motion to accept the Conflict Resolution Policy as presented. James seconded. Motion passed unanimously.</b></p>



GOVERNANCE COMMITTEE July 26, 2007  
*April 19, 2007 Governance Committee Minutes*

<b>Conference Funding Requests/Reports</b>	<p>The Committee reviewed conference reports for Magali Fleming and Laura Thompson. Both reimbursements have been processed. The Hiatt family also attended the same conference as Magali Fleming attended, but have not sent in a request reimbursement. Marilyn received two new requests, one for Kimberly Larsen to attend the P.L.A.Y Project sponsored by Easter Seals-Goodwill. She is requesting \$269 to attend that conference. Monies for this conference will be paid out of parent education for stipends. <b>Julie moved to approve funding request for \$269. Liz seconded. No further discussion. Motion passed unanimously.</b></p> <p>→ Theresa Wilding submitted an application to attend SABE board meeting. The request was for \$200 to cover meal expenses. Julie expressed concerns on this being an ongoing meeting and if the Council would provide financing each year. <b>Julie requested that Theresa provide the Council with a plan for future activities and annual expenses.</b> Theresa will be representing SALN at a national level. SALN would need a firm commitment from Theresa to represent SALN. <b>Julie made a motion to approve [Theresa's request] with a recommendation for direct communication with SALN president John Russell on the expectations of communication. (The approval letter should recommend regular communication with SALN.) Liz seconded. Motion passed unanimously.</b> SALN needs to discuss its relationship with SABE, including how they would select their representative to SABE after the conclusion of Theresa's term on the Board.</p> <p>→</p> <p>→</p>
<b>Review of Memorandum of Agreement with DHW</b>	<p>Marilyn explained that during a federal sight visit in 2001, ADD recommended that the Council updated the MOU with DHW and review it every few years. The current MOU at the time was from 1989. Marilyn revised it and sent to the DHW Director Kurtz. Given that almost six years have passed, there is a new administration and a new DHW Director it was decided that the MOU needed to be reviewed.</p>



<b>Review of Memorandum of Agreement with DHW</b>	<p>Review of questions:</p> <ol style="list-style-type: none"><li>1. Is the Council placed in a department that provides services or supports to individuals with developmental disabilities? <b>Yes. Councils are not supposed to be in a DSA that provides service delivery since the Council monitor the agency's activities, but Idaho was grandfathered into this arrangement when the Council was established.</b></li><li>2. Is there an MOU in place that addresses possible conflict of interest issues? <b>Yes, however the MOU could include activities as one of the subcomponents: The DSA shall not interfere with planning, . . . . . monitoring functions and activities of the Council.</b></li><li>3. Have there been efforts by the DSA to interfere directly or indirectly with the programmatic activities of the Council? <b>No, the MOU includes non-interference language.</b></li><li>4. Has the DSA supported the Council, directly or indirectly, in carrying out the Council's functions, even if they are in opposition to the position of the DSA? <b>Yes, the DSA continued its administrative support for the Council even when the Council was opposing the Department's position regarding expansion at the state school.</b></li><li>5. Is the placement of the Council at an appropriate level? <b>Currently the Council is placed in FACS, Michelle Britton is the Division Administrator, but we also have contact with Dave Butler who is the Administrator for management services. DHW provides, fiscal, legal and payroll support.</b></li><li>6. Fiscal services: is the DSA prompt in processing of fiscal requests; is authorization at the director's level and/or is the level of consent to expend dollars minimal and no more than a department level request? <b>The DSA files the 269 fiscal reports on our behalf. They don't give us any additional scrutiny above anyone else. Per the legislative office Marilyn and Amanda met with management services to go over new travel procedures. The basis was to put all costs associated with travel on one form. They do require a letter of</b></li></ol>
---	--



<p style="text-align: center;">→</p>	<p>7. <b>justification for advances. The do not charge us anything for providing our support. They do charge us about \$2000 a year for Off the Tops which include phone services. That is the only cost we pay DHW to provide us services.</b></p> <p>8. Have there been any instances where the DSA withheld or delayed consent to contract and expend dollars that the Council has authorized? <b>No. The only delays we have are if desired contracts aren't filled out correctly.</b></p> <p>9. Have there been any instances of the State attempting to assign Council staff to other duties, interfering with Council hiring or firing? <b>No. We generally deal directly with DHR and not DHW HR. DHW does will provide technical assistance.</b></p> <p>10. Has there been any interference or attempted interference with Council activities or budget? <b>No.</b></p> <p>11. Has the DSA supported the Council in obtaining "reasonable state financial participation in the cost of carrying out the plan?" <b>Yes, DHW makes up the 25% match that is not covered by the general fund with unmatched funds from the Infant Toddler program. In many states the Council is much more regulated by the DSA. The Idaho Council has had a good working relationship with its DSA.</b></p> <p><b>Rick made a motion to accept the MOU with the added activities and updated federal law number. Dona seconded. Approved unanimously. Marilyn will revise the current MOU and renew it with the current DHW Director.</b></p>
<p><b>Next meeting</b></p>	<p>The next meeting will be held at <b>10:30 am on Thursday, July 26, 2007.</b></p>
<p><b>Agenda Items</b></p>	<p>Next meeting agenda items include:</p> <ul style="list-style-type: none"> <li>• Review final policies – 108, 103 and Code of Ethics</li> <li>• Review final MOU with DHW</li> <li>• Conference reports from Dona Butler, Theresa Wilding</li> </ul>
<p><b>Adjourn</b></p>	<p>There being no further business, the meeting adjourned at 11:35.</p>